



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD #: (608) 264-8777

Jim Doyle, Governor  
Jack L. Fischer, A.I.A., Secretary

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 53  
**Comm #:** 53575-1529-20-A  
**BRRTS #:** 03-13-002215  
**Site Name:** Andy's Tire & Muffler  
**Site Address:** 220 Janesville St, Oregon, 53575  
**Site Manager:** Larry Lester  
**Address:** 3911 Fish Hatchery Rd  
**City, State Zip:** Fitchburg, WI 53711-5367  
**Phone:** 608-275-3465  
**e-mail:** lawrence.lester@wisconsin.gov  
**Bid Manager:** Ralph N. Smith  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-6543  
**e-mail:** ralph.smith@wisconsin.gov

<b>Bid-Start Date:</b>	<b>February 4, 2008</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>February 18, 2008, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>March 7, 2008</b>
<b>Bid-End Date and Time:</b>	<b>March 21, 2008, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Madison, 1 E Main, Madison, WI 53703  
Phone: (608) 663-1041 Fax: (608) 663-1045

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

In April of 1994 five USTs (two 4,000 gallon gasoline, one 3,000 gallon gasoline, one 1,000 gallon fuel oil and one 550 gallon waste oil) were abandoned by removal at the site. Several holes were noted in the tanks at the time of removal. Investigation was conducted at the site from December of 1997 through May of 2007 (eleven groundwater monitoring wells and two piezometers). The horizontal extent of the soil contamination in the vadose zone is estimated to be oval shaped measuring 50 by 35 feet. Free product (LNAPL) has been encountered in monitoring wells MW-1, MW-2 and MW-7.

Soils at the site are reportedly four to six foot of silt underlain by fine to medium-grained sand. Sandstone Bedrock was encountered at 27 to 30 feet below ground surface (bgs) at the site. Groundwater is reported to be between 8.3 and 14.3 feet bgs at the site, and flows to the northeast.

### **Minimum Remedial Requirements**

The WDNR and Commerce are requesting that consultants submit a bid for costs associated with additional investigation, LNAPL assessment, and one year of quarterly groundwater monitoring. The bid is not for costs to closure.

- a. Monitoring wells MW-3 and MW-4 have reportedly been “lost”. The consultant shall attempt to locate these two wells. In the event the attempt to locate the “lost” wells is unsuccessful, one groundwater quality monitoring well with a depth consistent with existing site water table monitoring wells shall be constructed at the site. The new well shall be located between wells MW-3 and MW-4. Prior approval for the proposed location shall be obtained from the WDNR and COMM project managers.
- b. Conduct four rounds of quarterly groundwater monitoring on the newly installed well, if installed, and/ or monitoring wells MW-1, MW-2, MW-5, MW-6, MW-7 and PW-9.
- c. Conduct two rounds of semiannual groundwater monitoring on monitoring wells MW-3, MW-4 (if located), MW-8, PW-10, MW-11, MW-12 and MW-13.
- d. At a minimum, groundwater monitoring in (b.) and (c.) shall include: measurement of water level and free product level (if present) in each and every monitoring well during each sampling round. The new monitoring well must be surveyed relative to USGS datum and accurately located relative to the existing site wells. Laboratory analysis of the groundwater samples must be conducted for PVOCs and PAHs.
- e. LNAPL Assessment Parameters  
The boring used to construct the new monitoring well can be used to collect the soil sample for grain size analysis. Submit one soil sample per boring from the water-table mixing zone for grain size (sieve) analysis (wet or dry), hydrometer testing and porosity. Collect and submit one sample of free product for quantitative fluid analysis. Conduct laboratory analysis for density (gm/cc), viscosity (cp), and surface and interfacial tensions (dyne/cm) for air/water, air/LNAPL, and LNAPL/water.

Additional shipping and sample preparation/disposal costs may apply.

For LNAPL encountered in any monitoring well, measure the depth to, and thickness of (inches or feet) free product. Wells containing free product are to have free product removed during each quarterly monitoring event. Groundwater samples should be collected from wells containing free product, and analyzed for PVOCs plus PAHs after LNAPL removal.

Proper disposal of all the associated wastes and collected free product is required at the completion of the monitoring events.

- f. Submittal of semi-annual groundwater monitoring reports will include, but not be limited to, a discussion of LNAPL hand bailing efforts, plume dynamics, and natural attenuation trends based on groundwater quality, LNAPL assessment parameters, water level fluctuation, and seasonality. Property boundaries in common with all adjacent properties shall be depicted on all site figures. The reports will include, but not be limited to, required and customary data and documentation, such as tables and figures depicting current and historic groundwater chemistry and flow, and copies of laboratory reports and chain of custody forms. The final report must include a remedial options evaluation, which will include an evaluation of possible remedial options and a recommendation for the most practicable remedy at the site. The final report shall be submitted to Commerce and WI DNR within 30 calendar days of receiving the laboratory analytical data for that reporting period.

Reporting per Comm 47.70 is required.

All mob/demob and per diem costs are to be included with the bid.

Contingency costs requests shall be reviewed by both Commerce and DNR for approval.

- Contingency costs for installation of soil boring to collect grain size analysis (wet or dry) for LNAPL Assessment parameter purposes (includes mob/demob and per diem).
- Contingency costs for groundwater monitoring for one round for all wells, LNAPL measurement, elevations, and includes data tabulation and letter report (includes mob/demob and per diem).

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).

4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

#### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

#### **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## **SECTION 5 - Instructions to Bidders**

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid

is not allowed. No bid shall be altered or amended after the time specified for the bid end date.

8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Andy's Tire & Muffler**

**COMMERCE #: 53575-1529-20**

**BRRTS #: 03-13-002215**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_

## BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Andy's Tire & Muffler**

**COMMERCE #: 53575-1529-20**

**BRRTS #: 03-13-002215**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Locate and utilize monitoring wells MW-3 and MW-4, or abandonment per NR 141, WAC.	\$
2	Installation of replacement monitoring well per paragraph a of the bid scope.	\$
3	Quarterly and semi-annual groundwater monitoring per paragraph b, c, d, e protocols.	\$
4	LNAPL Assessment parameters per paragraph e.	\$
5	All wastes shall be properly stored and disposed of per the bid scope.	\$
6	Final Report with remedial action options assessment and Comm 47.70 Web Reporting per paragraph f of the bid scope.	\$
7	PECFA Claim Preparation	\$
8	<b>Total Bid Amount</b>	<b>\$</b>
<b>CONTINGENCY COSTS</b> <b>(Will be Approved and Added to the Bid Cap as Needed)</b>		
•	Hydraulic push probe technology services and materials for one boring per the bid scope (includes mob/demob).	\$
•	Groundwater monitoring for one round for all wells for PVOCs + PAHs, LNAPL measurement, elevations, and includes data tabulation and letter report (includes mob/demob and per diem)	\$